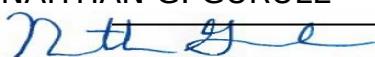


	LOS LUNAS POLICE DEPARTMENT		
	ADMINISTRATION	NUMBER: OPR.06.05(B)	EFFECTIVE DATE: September 3, 2010
	SUBJECT: Missing Person Alerts		REVIEW DATE: July 7, 2016
	AMENDS/ SUPERSEDES:		NMSA:
NMMLEPSC STANDARDS: OPR.06.05(B)		APPROVED BY CHIEF OF POLICE NAITHAN G. GURULE  Signature	

I. **PURPOSE**

The purpose of this policy is to establish guidelines for the implementation of AMBER Alert, SILVER Alert, BRITTANY Alert, and Endangered Missing Person Advisory using resources and tools available to law enforcement.

II. **POLICY**

The first several hours after a child, elderly, and college student on campus or disabled person is reported missing can be critical to the successful outcome of the case.

It is the policy of the Los Lunas Police Department to participate in the following alert systems: AMBER Alert, a resource available to assist law enforcement agencies with the hopeful recovery of abducted children. The SILVER Alert, to address missing endangered adults meeting the criteria specific to this alert. The BRITTANY Alert, a notification relating to an endangered, developmentally disabled person meeting the criteria specific to the alert. The Endangered Person Advisory, which is issued in the event a person is determined to be missing under unexplained or suspicious circumstances or deemed to be an endangered person/child. This policy provides guidelines for the issuance of alerts and endangered person advisories using the resources and tools available to law enforcement.

III. **DEFINITIONS**

- A. Emergency Alert System (EAS) – A national warning system in the U.S., which allows for immediate distribution of information.
- B. Missing Person – A person whose whereabouts are unknown to

the persons custodian or immediate family member and the circumstances of whose absence indicate that the person did not leave the care and control of the custodian or immediate family member voluntarily and the taking of the person was not authorized by law or the person voluntarily left the care and control of his custodian without the custodian's consent and without intent to return.

- C. Authorized Requestor – Normally the NMSP Public Information Officer or the NMSP Chief's authorized user of the EAS.
- D. Public Information Officer (PIO) – A person designated by the Los Lunas Police Chief who provides a central point for information to be gathered and disseminated on an event.

IV. PROCEDURES

A. Missing Persons

- 1. Whenever an officer receives a report of a missing person, the case will be investigated without delay.
- 2. If the missing person is a child, an elderly person, college student on campus, or a disabled person not meeting the criteria to generate an alert, the investigating officer may immediately notify A Child Is Missing Alert, the Lost Child Alert Technology Resource (LOCATER), or any other department approved resource, such as Code Red and LLPD social networks.
- 3. If the missing person is a child, an elderly person, college student on campus, or a disabled person and meets the criteria to generate an alert, guidelines will be followed in accordance to that alert.

V. ALERT GUIDELINES

- A. AMBER Alert – New Mexico state law delegates the New Mexico State Police as the authorized agency to issue a sanctioned AMBER Alert.
 - 1. General Guidelines
 - a. The child must be seventeen (17) years of age or less.
 - b. Specific information concerning the child and or abductor should be available; Criteria for an abductor are not limited to an unrelated person or

stranger and may include a parent or other family member.

- c. There should be no doubt to believe that the child is in imminent danger of serious bodily harm or death.

2. Operational Guidelines

- a. NMSP shall be notified as quickly as possible in the early stages of the investigation and when an AMBER Alert is needed.
- b. Officers taking a missing person report of a child meeting the AMBER Alert guidelines **shall** immediately request the entry of the missing/endangered child information into the New Mexico Missing Persons Information Clearinghouse and the National Crime Information Center (NCIC) missing person file.
- c. The AMBER Alert Checklist provided by New Mexico Department of Public Safety will be followed.
- d. The AMBER Alert Report Form provided by New Mexico Department of Public Safety will be completed.
- e. The Authorized Requestor (NMSP PIO) will be notified by LLPD personnel who will evaluate the information and declare an AMBER Alert if the criterion is satisfied.
- f. The Authorized Requestor may determine the validity of a request to terminate an AMBER Alert. The following will be considered when making that determination:
 - 1. If the child has been located and confirmed safe, then the NCIC entry will be removed.
 - 2. The Authorized Requestor and the investigating agency are the only personnel who can cancel an AMBER Alert after an eight (8) hour period.
- g. Nothing in this policy shall prohibit the use of other available resources, to include A Child Is Missing Alert, and/or the Lost Child Alert Technology

Resource (LOCATER).

B. SILVER Alert

1. General Guidelines

- a. The individual is a missing person whose whereabouts are unknown to the person's custodian or immediate family member.
- b. The individual is fifty (50) years or older.
- c. There is clear indication that the individual has an irreversible deterioration of intellectual faculties, such as Alzheimer's disease, dementia, or another degenerative brain disorder or a brain injury.

2. Operational Guidelines

- a. Officers taking a missing person report of a person meeting the SILVER Alert guidelines **shall** immediately request the entry of the missing/endangered child information into the New Mexico Missing Persons Information Clearinghouse and the National Crime Information Center (NCIC) missing person file.
- b. The Missing Persons Checklist provided by New Mexico Department of Public Safety will be followed.
- c. LLPD personnel may contact NMSP dispatch for assistance in the issuance of a SILVER Alert if the criterion is satisfied.
- d. The Authorized Requestor/Investigating Agency may determine the validity of a request to terminate an SILVER Alert. The following will be considered when making that determination:
 1. If the person has been located and confirmed safe, then the NCIC entry will be removed.
 2. The Authorized Requestor and the investigating agency are the only personnel who can cancel an SILVER Alert after an eight (8) hour period.

- e. Nothing in this policy shall prohibit the use of other available resources, to include A Child Is Missing Alert, and/or the Lost Child Alert Technology Resource (LOCATER).

C. BRITTANY Alerts

1. General Guidelines

- a. An endangered person who is a missing person.
- b. There is a clear indication that the person has a developmental disability (severe chronic disability) that:

1. Is attributed to a mental or physical impairment, including the result from trauma to the brain, or combination of mental and physical impairments;
2. Is manifested before the person reaches the age of twenty-two (22) years;

3. Is expected to continue indefinitely;

- c. Results in substantial functional limitations in three or more of the following areas of major life activity:

1. Self-care
2. Receptive and expressive language
3. Learning
4. Mobility
5. Self-direction
6. Capacity for independent living
7. Economic self-sufficiency

- d. Reflects the person's need for a combination and sequence of special, interdisciplinary or generic care treatment or other support and services that are of life-long or extended duration and are individually planned and coordinated.

2. Operational Guidelines

- a. Officers taking a missing person report of a person meeting the BRITTANY Alert guidelines **shall** immediately request the entry of the missing/endangered child information into the New

Mexico Missing Persons Information Clearinghouse and the National Crime Information Center (NCIC) missing person file.

- b. The Missing Person Checklist provided by New Mexico Department of Public Safety will be followed.
- c. LLPD personnel may contact NMSP dispatch for assistance in the issuance of a BRITTANY Alert if the criterion is satisfied.
- d. The Authorized Requestor/Investigating Agency may determine the validity of a request to terminate a BRITTANY Alert. The following will be considered when making that determination:
 - 1. If the person has been located and confirmed safe, then the NCIC entry will be removed.
 - 2. The Authorized Requestor and the investigating agency are the only personnel who can cancel an AMBER Alert after an eight (8) hour period.
- e. Nothing in this policy shall prohibit the use of other available resources, to include A Child Is Missing Alert, and/or the Lost Child Alert Technology Resource (LOCATER).

D. Endangered Person Advisory - Endangered or At-Risk persons determined to be missing under unexplained or suspicious circumstances or deemed to be an endangered person/child.

- 1. General Guidelines
 - a. A missing child 13 years of age or younger (National Child Search Assistance Act).
 - b. Out of the safety zone for his/her age, developmental stage, or mental and physical condition.
 - c. Diminished mental capacity or suicidal tendencies.
 - d. Drug dependent requires life or health sustaining medications.
 - e. A potential victim of foul play or sexual exploitation.

- f. In a life-threatening situation.
- g. Absent from home for more than 24 hours before being reported to law enforcement as missing.
- h. Believed to be with others who could endanger his/her welfare.
- i. Is absent under circumstances inconsistent with established patterns of behavior.

2. Operational Guidelines

- a. Officers taking a missing person report of a person meeting the endangered missing person guidelines **shall** immediately request the entry of the missing/endangered person information into the New Mexico Missing Persons Information Clearinghouse and the National Crime Information Center (NCIC) missing person file.
- b. The Missing Person Checklist provided by New Mexico Department of Public Safety will be followed.
- c. Officers shall consider if there is information that may be beneficial to the public to assist in locating the endangered missing person.
- d. LLPD personnel may contact NMSP dispatch for assistance in the issuance of an Endangered Persons Advisory.
- e. Nothing in this policy shall prohibit the use of other available resources, to include A Child Is Missing Alert, and/or the Lost Child Alert Technology Resource (LOCATER).

E. The Endangered Person Advisory Report Form shall be filled out in its entirety and provided to the DPS Clearinghouse Coordinator in every instance where an AMBER Alert, SILVER Alert, BRITTANY Alert, or an Endangered Person Advisory is required.

VI. RESOURCES (revised 07/07/16)

A. A Child Is Missing Alert: 1-888-875-2246 (ACIM) or page the operator at 1-954-492-4778.

- B. Lost Child Alert Technology Resource (LOCATER) Provides Law Enforcement Agencies with access to create and distribute posters to other agencies, media outlets, and the public via e-mail, fax, or print distribution. <http://www.locaterposters.org/>
- C. New Mexico State Police Public Information Officer
(505) 917-2952
- D. NMDPS Law Enforcement Records Bureau Chief
Regina Chacon
(505) 795-2793
- E. State Registrar's Office
(505) 827-1751 FAX
- F. DPS Communications Director
(505) 231-4968
- G. NMDPS Missing Persons and Alert Page -
<http://www.dps.state.nm.us/index.php/alerts/>
- H. Los Lunas Police Department Twitter

VII. ATTACHMENTS

- A. Missing Person Checklist
- B. NMDPS Missing Person Clearinghouse Report Form (2 pages)
- C. Missing Person Report for NCIC Record Entry
- D. Birth Certificate Flag Cancellation Request Form
- E. AMBER Alert Checklist
- F. NMDPS AMBER Alert Report Form (3 pages)
- G. NMDPS Endangered Person Advisory Report Form (2 pages)